

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

Minutes
420th Regular Meeting
Air Resources Board
Sacramento, California
24 July 1998 - 9:00 a.m.

BOARD MEMBERS PRESENT

Ed Schnabel, Chairman; Steve Butler, Vice Chairman; Chuck Ahlem (left at 2:00 p.m. after completion of Item 12), Jane Papazian, Craig Pedersen, William Porter, John Sharrah, Clifford Wisdom, Members; John Brown, SWRCB Liaison Member

BOARD MEMBERS ABSENT

Patricia Smith

STAFF PRESENT

Gary Carlton, Tom Pinkos, Ken Landau, Greg Vaughn, Louis Pratt, Dennis Westcot, Rudy Schnagl, Lonnie Wass, Susan Wilson, Inge Clarke; Frances McChesney and Lori Senitte, Counsels-SWRCB

OTHERS PRESENT

William Beckon, U.S. Fish and Wildlife Service, Sacramento
Tom Maurer, U.S. Fish and Wildlife Service, Sacramento
Michael Eacoch, U.S. Bureau of Reclamation, Fresno
Michael Delamore, U.S. Bureau of Reclamation, Fresno
Penny Howard, U.S. Bureau of Reclamation, Sacramento
Bob Young, U.S. Bureau of Reclamation, Sacramento
Joe Karkoski, U.S. Environmental Protection Agency, Sacramento
Eugenia McNaughton, U.S. Environmental Protection Agency, San Francisco
Curt Schmutte, Department of Water Resources, Sacramento
Mike Floyd, Department of Water Resources, Sacramento
Ward Tabor, Department of Water Resources, Sacramento
Walt Shannon, State Water Resources Control Board, Sacramento
Om Gulati, State Water Resources Control Board, Sacramento
Glenn Gebhardt, Public Works, City of Lathrop
Roger Bennett, City of Lathrop
David Laschin, Public Works, City of Lemoore
Michael Brinton, Public Works, City of Manteca
Jim Pedesta, Public Works, City of Manteca
Paul Simmons, attorney representing City of Manteca, Sacramento
Phil Goven, City of Manteca, Manteca
Douglas Jones, City of Stockton
Dan Madden, City of Turlock
Karna E. Harrigfeld, Stockton East Water District attorney, Stockton
Marsha Leach, attorney for Glenn-Colusa Irrigation District, Sacramento
Steve Chedester, San Joaquin River Exchange Contractors Water Authority, Los Banos
Michael Sexton, San Luis & Delta Mendota Water Authority, Oroville

William T. Hetland, El Dorado Irrigation District, Placerville
Tim Sullivan, El Dorado Irrigation District, Placerville
Peter MacLaggan, California Urban Water Agencies, San Diego
Fred Silva, Silva Dairy Farms, Modesto
John Nascimento, Nascimento & Sons Dairy, Oakdale
Scott A. Leiby, Sierra Pacific Ind., Redding
David Nielsen, Safety-Kleen Inc., Buttonwillow
Marianna Buoni, Safety-Kleen Inc., Buttonwillow
Bill Ross, Safety-Kleen/Laidlaw, San Jose
Joe McGahan, Grassland Area Farmers, Hanford
William I. DuBois, California Farm Bureau Federation, Sacramento
Ronald Liebert, California Farm Bureau Federation, Sacramento
Patrick Porgans, Porgans & Associates, Sacramento
Susan Austin, San Francisco
Doug Brewer, Sacramento
Ann Cheng
Robert Cothrin, Sacramento
John Hanson, Sacramento
Ernie Pfanner, Davis
Steven Proe, Greenwood
Matt Joyce, Mountain Democrat, Placerville
Jim Nickles, Stockton Record

APPROVAL OF MINUTES

1. The minutes of the 419th Regular Meeting of 5 June 1998 were approved as written.

MOTION: By Mr. Pedesen, seconded by Mr. Wisdom, and unanimously approved.

PUBLIC FORUM

2. Ernie Pfanner requested the Board extend any assistance necessary to a new dairy coming into Yolo County in the next few months. Mr. Steven Proe addressed the Board regarding his concerns on the Union Mine Landfill. The Chair requested staff report back to the Board at the next meeting on these issues.

UNCONTESTED ITEMS

3. *NPDES Permits*

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| <u>98-145</u> | California Department of Forestry and Fire Protection, Magalia Nursery/Butte Fire Center, Butte County |
| <u>98-146</u> | Monterey Mechanical Company, Inc., Chico Regional Wastewater Treatment Plant, Construction Dewatering, Butte County |
| <u>98-147</u> | Glenn-Colusa Irrigation District, Fish Screen Improvement Project, Glenn and Tehama Counties |
| <u>97-211</u> | El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant, El Dorado County |

MOTION: By Mr. Wisdom, seconded by Mr. Porter, and unanimously approved.

WATER QUALITY CERTIFICATION

4. *United States Department of the Interior, Bureau of Reclamation and Bureau of Land Management, Lower Clear Creek Channel Restoration Project, Shasta County - Resolution Approving Initial Study/Environmental Assessment and Negative Declaration*

98-148

MOTION: By Mr. Butler, seconded by Mr. Sharrah, to adopt the proposed Resolution with changes to the Initial Study/ Environmental Assessment. Unanimously approved as amended.

5. *Waste Discharge Requirements Waiver*

98-149

Roll International Corporation and Paramount Farms, Inc., Blackwell Pistachio Processing Plant, Kern County

MOTION: By Mr. Pedersen, seconded by Mr. Porter, and unanimously approved.

6. *Waste Discharge Requirements Rescissions*

Tracy Maintenance Station, Caltrans (formerly Division of Highways), Tracy, San Joaquin County, Resolution No. 71-2

Renaissance Vineyard and Winery, Inc., Fellowship of Friends, Yuba County, Order No. 81-057

FMC Corporation, Industrial Chemical Division, Stanislaus County, Order No. 87-108

Busch Agricultural Resources, Pacific International Rice Mills, Groundwater Treatment System Discharge, Yolo County, NPDES No. CA0083542, Order No. 94-241

98-150

MOTION: By Mr. Wisdom, seconded by Mr. Ahlem, and unanimously approved.

7. *Waste Discharge Requirements*

98-151

Approving the Initial Study and adopting a Negative Declaration for Salad Cosmo Company Limited, Seed Processing Facility, Wastewater Pond, Solano County

98-152

Salad Cosmo Company Limited, Seed Processing Facility, Wastewater Pond, Solano County

98-153

Sierra Pacific Industries, Inc., Hazel Creek Mine Closure, El Dorado County (amended)

98-154

Lamanuzzi & Pantaleo and Golden Valley Grape Juice and Wine Facility, Madera County

98-155

Initial Study and Proposed Negative Declaration for Golden Valley Produce, LLC, Buttonwillow Carrot Processing Facility, Kern County (amended)

98-156

Golden Valley Produce, LLC, Buttonwillow Carrot Processing Facility, Kern County

98-157

Cacciatore Fine Wines and Olive Oil Corporation, Pixley Winery, Tulare County

98-158

Sousa Ready Mix, Inc., Upton Road Facility, Siskiyou County (amended)

98-159

The County of Lake, Eastlake Sanitary Landfill, Class III Landfill, Class II Surface Impoundment, Lake County (amended)

98-160

Svestco Inc., Lebec Septage Disposal Site, Kern County

- 98-161 Merced County Department of Public Works, Solid Waste Division, for Construction and Operation, Highway 59 Municipal Solid Waste Landfill, Merced County
- 98-162 Valley Rock Products, Inc., Drilling Mud Disposal Facility, Glenn County
- 98-163 City of Newman, Wastewater Treatment Plant, Stanislaus County
- 98-164 Rainbow Ranches, Inc., Evaporation Basin, Kern County (revision)
- 98-165 Laidlaw Environmental Services (Lokern), Inc., Lokern Facility, Buttonwillow, Kern County, to Modify Waste Discharge Requirements Order No. 96-094 for Closure of Class II Waste Management Units (amended)
- 98-166 County of Tulare, Building Services and Parks Department, Sequoia Field Wastewater Treatment Facility, Tulare County
- 98-167 SK Foods, Inc. and City of Lemoore, SK Foods Tomato Processing Facility, Kings County

MOTION: By Mrs. Papazian, seconded by Mr. Porter, and unanimously approved as amended. Mr. Pedersen abstained from voting on the last item, SK Foods, Inc., and City of Lemoore.

ENFORCEMENT

8. *Fernando B. Silva, Teresinha Silva, Duarta M. Silva, Fred A. Silva, Germana M. Silva, Albertina M. Silva, John, Eddie, Fernando and Manuel Nascimento, dba Silva Farms Dairy, Stanislaus County - Consideration of Administrative Civil Liability Order*

A public hearing was held. The staff report was presented by Louis Pratt, with additional information by Ken Landau. The staff presentation, case file and exhibits were entered into the record. Additional testimony was presented by Fred Silva, owner; and Mr. Nascimento, operator.

- 98-168 **MOTION:** By Mr. Butler, seconded by Mrs. Papazian, to adopt an Administrative Civil Liability in the amount of \$21,000. Motion carried. Mr. Ahlem removed himself from participating in this item due to a conflict.

9. *City of Manteca and City of Lathrop, Wastewater Quality Control Facility, San Joaquin County - Consideration of Cease and Desist Order*

A public hearing was held. The staff report was presented by Greg Vaughn, with additional information by Ken Landau. The staff presentation, exhibits, and case file were entered into the record. Additional testimony was presented by Michael Brinton, Public Works Director, City of Manteca.

- 98-169 **MOTION:** By Mr. Porter, seconded by Mr. Wisdom, to adopt the Cease and Desist Order as amended. Unanimously approved by roll call vote.

WASTE DISCHARGE REQUIREMENTS (Land Disposal)

10. *Reclamation District 341, Sherman Island Channel Island Demonstration Project, Sacramento County*

The staff report was presented by Ken Landau. No one appeared to contest the adoption of the proposed order.

- 98-170 **MOTION:** By Mr. Sharrah, seconded by Mr. Porter, to adopt the waste discharge requirements as amended. Unanimously approved.

11. *San Luis & Delta-Mendota Water Authority and United States Department of the Interior, Bureau of Reclamation, Grassland Bypass Channel Project, Fresno and Merced Counties*

The staff report was presented by Rudy Schnagl. Additional information was presented by Joseph McGahan, Grassland Area Farmers; Penny Howard, US Bureau of Reclamation; Eugenia McNaughton, US Environmental Protection Agency; Tom Maurer, US Fish & Wildlife Service; Karna Harrigfeld, Stockton East Water District; and Patrick Porgans. At the beginning of his comments, Mr. Porgans was advised by the Chair of the Board's authority to recommend contempt citations to superior court and warned Mr. Porgans that insolent or contemptuous remarks would not be tolerated.

98-171 **MOTION:** By Mr. Sharrah, seconded by Mrs. Papazian, to adopt the requirements as amended. Unanimously approved.

12. *City of Turlock, Stanislaus County, for Reuse of Exceptional Quality Wastewater Treatment Biosolids as Fertilizer and Soil Amendment, - Waiver of Waste Discharge Requirements*

This item had been removed from the uncontested portion of the calendar. The staff report was presented by Ken Landau. Dante Nomellini's (Central Delta Water Agency co-counsel) comment letter and staff's response to those comments were presented to the Board. No one appeared to contest the adoption of the proposed order.

98-172 **MOTION:** By Mr. Butler, seconded by Mr. Porter, and unanimously approved.

(Note: Items 8, 9, 11, and 12 were recorded by a certified court reporter.)

OTHER BUSINESS

13. *Informational Update on the Remediation of Penn Mine, Calaveras County*

The staff report updating the Board on the Penn Mine Environmental Restoration Project was presented by Greg Vaughn. This item was presented for the Board's information only.

14. *Consideration of Resolution to Authorize Agreements for Permit Consolidation Zones*

The staff report was presented by Lonnie Wass. No one opposed the adoption of the proposed resolution.

98-173 **MOTION:** By Mr. Wisdom, seconded by Mr. Pedersen, to adopt the proposed resolution authorizing agreements for permit consolidation zones. Unanimously approved.

15. *Board Member Communications*

Mr. Schnabel advised the Board of a recent tour he took with State Board Member John Brown to observe erosion and siltation problems in the Panoche Creek Drainage Area.

16. The Board met in closed session to receive advice of counsel re: in the case of *United States v. Aerojet-General Corporation, et al., CIVS 86-08083-EJG; People of the State of California ex rel. Central Valley Regional Board, et al., v. Cedar Point Properties, et al., Plumas County Superior Court,*

Case No. 19897; and People of the State of California ex rel. Central Valley Regional Board, et al., v Original Sixteen to One Mine, Inc., Sierra County Superior Court Case No. 5511
[authorized under Government Code Section 11126(q)].

17. The Board received the Executive Officer's Report.
18. The meeting adjourned at 2:42 p.m. to the 11 September 1998 meeting in Sacramento.

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